

CAREGIVER BACKGROUND CHECKS – SUMMARY OF EMPLOYEE PROCESS

This is a summary of the caregiver background check (CBC) process that licensees follow for persons counted in staff-to-child ratios or have regular contact with children. For detailed information, refer to the department publication *Frequently Asked Questions – Caregiver Background Check Requirements for Child Care Centers*, DCF-P-PFS3064, available from the department's Background Check page <http://dcf.wisconsin.gov/childcare/licensed/CBC.HTM>.

Child care licensees are responsible for conducting Caregiver Background Checks (CBCs) on all employees and individuals counted in staff-to-child ratio every 12 months. (The Bureau of Early Care Regulation, Caregiver Background Unit is responsible for conducting CBCs on licensees every 3 months, persons who live on the premises of the child care center and persons under the age of 18 who are counted in staff-to-child ratios every 12 months.)

The CBC process must be completed within 60 days of the date the person begins working. This means that all the steps of the CBC must be completed and evaluated. The person must complete a Background Information Disclosure form (BID) prior to beginning work. If, based on the information provided on the BID, the person is eligible for employment, he or she may be allowed to work **under supervision** until it has been verified through the CBC process that the person is eligible to work unsupervised with children.

Three-Part Caregiver Background Check:

1. **Background Information Disclosure (BID) form.** The licensee or designee obtains a completed, dated and signed BID from the individual before the first day of employment. The information provided on the BID is the initial screening tool to determine if the individual is eligible to work with children. If the individual answered YES to any question on the BID, that individual MIGHT NOT be eligible to work in the child care field. Ask the individual to provide additional information, including a certified copy of the judgment of conviction, criminal complaint or any other relevant court or police documents. It is suggested that the individual provide a written explanation of each YES answer. For the complete Caregiver Background Checks Crimes Table or a copy of the BID, see the department's Background Check page <http://dcf.wisconsin.gov/childcare/licensed/CBC.HTM>.
2. **Wisconsin Department of Justice (DOJ) Criminal Record Check:** After the BID has been completed and reviewed, request a DOJ criminal record check. Go to the DOJ website <http://wi-recordcheck.org/> and follow the links to request record checks by mail or set up an account to request on-line record checks. The facility number located on the upper right hand corner of the child care program's license certificate is required by the DOJ criminal record check.

Review the DOJ report, against the BID to determine if the person provided complete and accurate information. If there are any "hits" or crimes listed on the DOJ report, determine if the conviction prohibits the person from working with children. Refer to *Frequently Asked Questions – Caregiver Background Check Requirements for Child Care Centers*, DCF-P-PFS3064, available from the department's Background Check page <http://dcf.wisconsin.gov/childcare/licensed/CBC.HTM>.

For resources on conducting a substantially related investigation, refer to the Caregiver Background Check Crimes Table and the *Caregiver Background Checks Substantially Related Investigation Report*, DCF-F-CFS2261-E, available from the department's Background Checks page <http://dcf.wisconsin.gov/childcare/licensed/CBC.HTM>. Documentation and results of any investigation completed during the caregiver background check process should be retained on file at the center.

3. **Response to Caregiver Background Check:** The request to the DOJ produces a second report from the State of Wisconsin called Response to Caregiver Background Check. This report checks several databases as well as the status of professional licenses. If the Response to Caregiver Background Check identifies any matches, call the phone number(s) provided to obtain specific information about the status of the license. Or check online at <http://online.drl.wi.gov/LicenseLookup/IndividualCredentialSearch.aspx> .

Out-of-State Caregiver Background Checks:

If the person indicated on the BID that they lived outside of the state of Wisconsin within the past 3 years, the licensee is required to make an attempt to obtain that state's records. Go to the Wisconsin Department of Justice website and follow the links to the appropriate state, <http://www.doj.state.wi.us/dles/cib/sclist.asp>. Click on the specific state and follow the directions on how to obtain the record. In many states, an individual can request his or her own record, should the Department of Justice indicate a closed record state.

Personnel Policy Requirements:

Wisconsin Administrative Rule requires child care policies to include a procedure requiring staff to notify the center administration / licensee and the center administration / licensee to notify the department as soon as possible but no later than the next business day when the person:

- Has been convicted of a crime;
- Has been or is being investigated by a governmental agency;
- Has a substantiated governmental finding of abuse / neglect or misappropriation of a client's property;
- Has a professional license denied, revoked, restricted, or otherwise limited.

It is recommended that child care programs include a policy statement, that it may be grounds for dismissal if a person withholds or provides inaccurate information.

Useful websites:

- Department of Children and Families Caregiver Background Check page <http://dcf.wisconsin.gov/childcare/licensed/CBC.HTM>
- Department of Regulation and Licensing Credential Search <http://online.drl.wi.gov/LicenseLookup/IndividualCredentialSearch.aspx>
- Department of Justice record check <http://wi-recordcheck.org/>
- Wisconsin Circuit Court Access <http://wcca.wicourts.gov/index.xsl>
- Wisconsin Sex Offender Registry <http://offender.doc.state.wi.us/public/>
- National Sex Offender Registry <http://www.nsopw.gov/Core/Conditions.aspx>
- Family Watchdog Sex Offender Search <http://wisconsinindco.familywatchdog.us/Default.asp>
- List of Wisconsin clerks of court <http://dhs.wisconsin.gov/caregiver/contacts/index.htm>